

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

ORION HEALTHCORP, INC. *et al.*,

Debtors.

HOWARD M. EHRENBURG, IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF ORION
HEALTHCORP, INC., ET AL.,

Plaintiff,

V.

ARVIND WALIA; NIKNIM MANAGEMENT INC.,

Defendants.

Chapter 11

Case No. 18-71748 (AST)

Adv. Proc. No. 20-08049 (AST)

**STIPULATION FOR SCHEDULING ORDER RE: BRIEFING SCHEDULE FOR
SUMMARY JUDGMENT MOTIONS AND ORDER THEREON**

Plaintiff, Howard Ehrenberg, in his capacity as Liquidating Trustee of Orion Healthcare, Inc. (the “Plaintiff”) and Defendants Arvind Walia and Niknim Management, Inc. (the “Defendants,” and together with the Plaintiff, the “Parties”), by and through their undersigned counsel of record, submit the following *Stipulation For Scheduling Order Re: Briefing Schedule For Summary Judgment Motions And Order Thereon* for consideration by the Court (the “Stipulation”):

Whereas, Plaintiff filed a letter requesting permission to file a motion for summary judgment, or in the alternative summary adjudication, on select issues. As stated at the hearing on October 19, 2022, Defendant requested permission to similarly file a motion for summary judgment. The Court will grant the parties request to file motions for summary judgement and the parties were instructed to enter into a briefing schedule. The Parties have met and conferred in good faith and set forth the following schedule which the Parties request approval.

The Parties will meet and confer in good faith concerning the preparation of a Joint Statement of Undisputed Facts with the intention to agree to as many undisputed facts as possible.

On or before **January 18, 2023**, any party may move for summary judgment, or alternatively summary adjudication.

On or before **February 22, 2023**, any Opposition shall be filed.

On or before **March 8, 2023**, any Reply brief shall be filed.

Considering the Parties Stipulation, and based on the record, the interests of justice and efficiency:

It is hereby ORDERED as follows:

1. This Court's Local Bankruptcy Rule 7056-1 governs the filing of summary judgment.
2. On or before December 15, 2023, the Parties shall meet and confer regarding the submission of a joint statement of undisputed facts to be filed concurrently with the Parties' Motion(s).
3. On or before January 18, 2023, any party may move for summary judgment, or alternatively summary adjudication.
4. Any Opposition to Summary Judgment shall be filed no later than February 22, 2023.

5. Any Reply Brief shall be filed no later than March 8, 2023.

Dated: November 15, 2022

Dated: November 15, 2022

PACHULSKI STANG ZIEHL & JONES LLP
*Counsel to Plaintiff Howard M. Ehrenberg, in his
capacity of Liquidating Trustee of Orion
Healthcorp, Inc., et al*

ROSEN & ASSOCIATES, P.C.
*Counsel to Defendants, Arvind Walia and
Niknim Management Inc.*

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SO ORDERED: